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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,090	03/14/2000	Walid Ahmed	12-12-11-9-26	9116

7590 08/12/2003

Docket Administrator (Rm 3c 512)  
Lucent Technologies Inc  
600 Mountain Avenue  
P O Box 636  
Murray Hill, NJ 07974-0636

EXAMINER

PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 08/12/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/525,090

Applicant(s)

AHMED ET AL

Examiner

Brenda Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-11 have been examined.

### ***Specification***

2. The disclosure is objected to because of the following informalities: the application number and filing date for the co-pending U.S. Patent application of Ahmed et al, entitled "A Topology Sensing Scheme for Networks with Mobile Nodes," is required. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. Claims 1-8 and 10-11 are rejected under U.S.C. 102(e) as being anticipating by **Elliott** (US 6,456,599 B1).

-Regarding claims 1, 5 and 10, **Elliott** discloses an apparatus and method for use in a node of a packet network, the method comprising the steps of: storing location information of other nodes of the packet network (column 3, lines 15-16); and exchanging the stored location information with adjacent nodes of the packet network (column 3, lines 19-21).

-Regarding claims 2 and 6, **Elliott** teaches wherein the stored location information further comprises associated time-stamp information for indicating an age of the location information of the other nodes ("The Age in Seconds field gives the estimated age of the snapshot in seconds. This estimated age is used primarily for aging snapshots out of a database when they become "too old" to be trusted, (column 6, lines 52-57).

-Regarding claim 3, **Elliott** teaches a method for use in a node of a packet network, the method comprising the steps of storing location information of other nodes of the packet network (column 3, lines 14-16); receiving location information from at least one adjacent node of the packet network (column 4, lines 53-60); and merging the received location information with the stored location information for updating the stored location information to more current values. (column 5, lines 1-15).

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-Regarding claims 4, 8, 11, **Elliott** teaches wherein the stored location information further comprises associated time-stamp information for indicating an age of the location information of the other nodes and wherein the merging step compares time-stamp information for determining the more current values (column 6, lines 50-58).

-Regarding claim 7, **Elliott** further teaches wherein at least one of the transmitting steps is periodically performed (column 4, lines 33-39).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Elliott** (US 6,456,599 B1) in view of **Rahul Jain et al**, "Geographical Routing Using Partial Information For Wireless Ad Hoc Networks", 20 December 1999.

-Regarding claim 9, **Elliott** discloses in a node of packet network the apparatus comprising a memory for storing a location list comprising location information for other nodes of the packet network; and a communication interface for transmitting, at different times, the determined location information of the node, and the stored location list, to at least one node of the packet network (column 3, lines 15-21).

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**Elliott** does not teach a global positioning system receiver for determining location information of the node. Rahul Jain teaches this claim limitation, in according to page 4, paragraph 3.1.

**Rahul Jain et al** teaches "Using the global positioning system (GPS), it is now possible for any node to find its geographical position with a small error. GPS receivers are cheaply available and more precise devices using differential GPS are also available. For this reason, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to utilize the global positioning system, such as that taught by Rahul Jain, in Elliott for each node to find its own position and the position of the destination node.

### ***Conclusion***

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Fax to:

(703) 872-9314, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA. Sixth Floor (Receptionist)

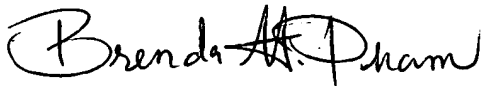
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (703) 308-0148. The examiner can normally be reached on Monday-Friday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Brenda Pham  
August 7, 2003

A handwritten signature in black ink that reads "Brenda A. Pham". The signature is written in a cursive style with a large, stylized "B" and "P".